

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, JUNE 25, 1985

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 9:15 a.m. The Mayor and City Council commended City Manager Ray T. Blair, Jr., for his service to the City of San Diego. The meeting was recessed by Mayor Hedgecock at 9:25 a.m. to convene as the Committee of the Whole. The Committee of the Whole was adjourned by Mayor Hedgecock at 10:25 a.m. to reconvene as the Council with all Council members present. The meeting was recessed by Mayor Hedgecock at 10:30 a.m. to reconvene at 7:00 p.m. at the Town and Country Hotel, Presidio Room, 500 Hotel Circle North, San Diego, California.

The meeting was reconvened by Mayor Hedgecock at 7:08 p.m. with all Council Members present. Mayor Hedgecock adjourned the meeting at 12:45 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present
- Clerk-Abdelnour (bb a.m.; jb p.m.)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present

(8) Council Member Martinez-present

ITEM-330: (R-85-2432) ADOPTED AS RESOLUTION R-263534

Establishing the City of San Diego tax appropriations limit of \$242,000,911 for Fiscal Year 1986, pursuant to Article XIII B of the California State Constitution and in compliance with Division 9 (commencing with Section 7900), Title I of the California Government Code.
(See City Manager Report CMR-85-306.)

FILE: MEET

COUNCIL ACTION: (Tape location: B388-413.)

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-331: (O-85-221) ADOPTED AS ORDINANCE O-16454 (New Series)

Second public hearing in the matter of:
Amending Ordinance O-16249 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1984-85 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-16249-1, as amended and adopted therein, by appropriating \$3,659,000 from unappropriated revenue in current year excess revenues of the Water Operating Fund (41500) and transferring and allocating said funds for personnel and nonpersonnel expenses; transferring the sum of \$48,000 from the City Employees' Retirement Fund (60011) General Reserve to the City Retirement Department (088); appropriating \$66,000 from unappropriated fund balance and/or excess revenues in Risk Management Department (50061) for personnel expenses and encumbrance for outside office space rental; and appropriating \$437,000 from unappropriated revenue derived from current year excess revenues in Building Inspection Department Fund (41300) to reimburse the General Fund 100 for overhead expenses.

See Item 200.

FILE: MEET

COUNCIL ACTION: (Tape location: B414-420.)

MOTION BY CLEATOR TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-332:

Matters of:

- 1) Rescinding the 1962 East Mission Valley Area Plan;
 - 2) Rescinding the 1968 Revised East Mission Valley Area Plan;
 - 3) Amending the 1977 Serra Mesa Community Plan by deleting certain areas lying south of the north rim of Mission Valley for the purpose of incorporating those certain areas into the Mission Valley Community Plan area;
 - 4) Amending the 1983 Linda Vista Community Plan by providing that the southern portion of the Linda Vista Community Plan area be subject to special legislation limiting intensity of development, consistent with the Mission Valley Community Plan Traffic Study;
 - 5) Adopting the Mission Valley Community Plan;
 - 6) Amending the Progress Guide and General Plan for the City of San Diego;
 - 7) Adopting interim zoning legislation for a period of time not to exceed 12 months for the purpose of limiting development intensity in Mission Valley based upon traffic generation factors until permanent zoning legislation is adopted for the Mission Valley Community Plan area including those affected areas within the existing Serra Mesa and Linda Vista Community Plan areas; and
 - 8) Certifying Environmental Impact Report EIR-84-0194.
- The Mission Valley Community Plan area comprises approximately 2,418 net acres and is generally bounded on the south by approximately the 150-foot elevation contour line on the south slopes of Mission Valley; on the east by the eastern bank of the San Diego River; on the north by the north rim of Mission Valley east of State Route 163 and by Friars Road west of State Route 163; and on the west by I-5.

(District-5.)

(Planning Department recommended approval of the Mission Valley Community Plan; rescission of the 1962 East Mission Valley Area and 1968 revised East Mission Valley Area Plans; the amendments to the 1977 Serra Mesa Community and 1983 Linda Vista Community Plans; and the Mission Valley Development Intensity Regulatory Overlay District; was opposition.)

(Planning Commission voted 6-0 to approve the Mission Valley Community Plan; rescission of the 1962 East Mission Valley Area and 1968 revised East Mission Valley Area Plans; and the amendments to the 1977 Serra Mesa Community and the 1983 Linda Vista Community Plans and voted 4-1 to approve the Mission Valley Development Intensity Regulatory Overlay District.)

(The Mission Valley Unified Planning Committee opposed the Community Plan as approved by the Planning Commission and had recommended that an alternative allowing greater development intensity be approved. The Committee voted to oppose the Mission Valley Development Intensity Regulatory Overlay District.)

Today's actions are:

Subitem-A: (R-85-2090) ADOPTED AS RESOLUTION R-263535

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0194 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adoption of the Statement of Overriding Considerations and appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-84-0194.

Subitem-B: (R-85-2087) ADOPTED AS RESOLUTION R-263536

Adoption of a Resolution approving the Mission Valley Community Plan and rescinding the 1962 East Mission Valley Area and 1968 revised East Mission Valley Area Plans, to become effective when the amendment to the General Plan Map is adopted after a hearing on or about July 2, 1985.

Subitem-C: (R-85-2088) ADOPTED AS RESOLUTION R-263537

Adoption of a Resolution approving the amendment of the Serra Mesa Community Plan, to become effective when the amendment to the General Plan Map is adopted after a hearing on or about July 2, 1985.

Subitem-D: (R-85-2089) ADOPTED AS RESOLUTION R-263538

Adoption of a Resolution approving the amendment of the Linda Vista Community Plan, to become effective when the amendment to the General Plan Map is adopted after a

hearing on or about July 2, 1985.

Subitem-E: (R-85-2197) ADOPTED AS RESOLUTION R-263539

Adoption of a Resolution approving the amendment to the Progress Guide and General Plan by adopting the Mission Valley Community Plan; amending the Linda Vista and Serra Mesa Community Plans; and rescinding the 1962 East Mission Valley Area Plan and the 1968 revised East Mission Valley Area Plan, to become effective when the amendment to the General Plan Map is adopted after a hearing on or about July 2, 1985.

Subitem-F: (O-85-188) INTRODUCED AS AMENDED, TO BE
ADOPTED JULY 8, 1985

Introduction of an Interim Ordinance limiting for a period of one year the issuance of building permits and commencement of construction within the Mission Valley Community Plan area and specified adjacent areas.

NOTE: The project proponent must furnish Council with the proposed findings in keeping with Section 21081 of the California Public Resources Code.

FILE: LAND - Mission Valley Community Plan

COUNCIL ACTION: (Tape location: C004-J550.)

Hearing began at 7:09 p.m. and halted at 12:45 a.m.

Testimony in favor by William R. Walker and Prudence Price.

Testimony in opposition by Kimball Moore, Paul Peterson, Ray Hoobler, Nancy Webber, Janet Kaye, John Lomac, Jim Dawe, William K. Shearer, Ethel Lichtman, Lance Burris, William Rick, Bob Hartman, Charles Gorda, Sr., Kathy Doria, Dorothy McDaw, Kim Kilkenny, Chuck Koons, Ann Merrill, Ed Clingman, Thomas Classer, Paul Glaustine, James Milch, Douglas Austin, Maurice Baldnuc, Doug Alridge, Robert Payne, Daniel Eswaver, Jean Davies, Don Samus, Robert Chamberlain, Ruby Jones, Alice Zulsor, Muribal Feitler, Eric Duval, Jane Scotnicki, Monty Griffith, Susan Juster, Ronald Kerico, Mark Shultz, Rick Goda, Ruth Demmer, and Jeff Mitchell.

Motion by Gotch to approve the amendment to the Plan to include additional language with respect to the San Diego River, which would provide for a natural flood control facility. Second by Mitchell. Failed: Yeas-1,6,M. Nays-2,3,4,5,7,8.

Motion by Gotch to not amend the Linda Vista Plan to include the property of Mr. de la Fuente in the Mission Valley Community Plan area. Second by Mitchell. Failed: Yeas-1,4,6,M.

Nays-2,3,5,7,8.

Motion by Gotch to approve the amendment for additional language

to the Plan pertaining to the southern slopes and the non-annexation of other community plan areas. Second by Mitchell. Failed: Yeas-1,4,6,M. Nays-2,3,5,7,8.

Motion by Gotch to include language in the Plan with a recommendation for an ordinance that would provide for immediate height controls. Direct the Planning Department staff to bring back a program with identified criteria. Passed: Yeas-1,3,4,6,M. Nays-2,5,7,8.

Motion by Gotch to continue the hearing to Tuesday, July 16, 1985 at 2:00 p.m. Second by Jones. Failed: Yeas-1,4,6,M. Nays-2,3,5,7,8.

Motion by Gotch to approve the amendment to grant bonuses only on the basis of LRT use and the MDTB estimates of approximately 6%. Failed: Yeas-4,6,M. Nays-2,3,5,7,8. Not present-1.

Motion by Gotch to approve the amendment that the Average Daily Traffic (ADT) not be exceeded within each of the Development Intensity Districts (DID) in keeping with the Plan. Second by Mitchell. Failed: Yeas-1,4,6,M. Nays-2,3,5,7,8.

Motion by Struiksma to approve the recommendations in the Interim Ordinance with respect to Highways 52 and 125 with the condition that in one year the matter of funding for these highways be brought back to the City Council for discussion and review. If it is determined that substantial progress has not been made on the funding, the Council would consider at that time the 5% density reduction. Second by Jones. Passed: Unanimously. 9-0.

Motion by Gotch to approve the proposed amendment to the Interim Ordinance not to allow any development which would lower any service level below "C" or cause service levels in any portion of the Valley to fall below the existing level. Second by Mitchell. Failed: Yeas-1,4,6,M. Nays-2,3,5,7,8.

Motion by Struiksma to approve the recommended direction to the City Manager with further amendments to: Paragraph 2 by omitting the statement, "Pursuant to City Policy (600-28)", and start the paragraph with "The City Manager..." Add language to paragraph 2, subitem 1 that, "A comprehensive examination of the office vacancy factor in Mission Valley, the hotel vacancy factor in Mission Valley, and the concept of mixed use densities as it relates to, but not be limited to, this modern principle."

In paragraph 3, give clarification that the property owners would continue as the planning group that would be advisory to the City on the Plan. Second by Martinez. Passed: Unanimously. 9-0.

Motion by Jones to refer to the appropriate committee for discussion the matter regarding the recreational/commercial use

of the San Diego Jack Murphy Stadium parking lot. Direct staff to report on this particular aspect of the Plan. Second by Mitchell. Passed: Unanimously. 9-0.

MOTION BY STRUIKSMA TO CLOSE THE HEARING AND APPROVE THE PLAN WITH THE AMENDMENTS, ADOPTING SUBITEMS A-E. INTRODUCE SUBITEM F AS AMENDED WITH AN ADDITIONAL AMENDMENT TO SECTION 9 OF THE INTERIM ORDINANCE THAT, "PROVISIONS OF THIS ORDINANCE SHALL BE IN EFFECT UNTIL THE FINANCE PLAN REFERRED TO ON PAGE 247 OF THE COMMUNITY PLAN HAS BEEN ADOPTED BY THE CITY COUNCIL." ALSO, APPROVE THE RECOMMENDATION IN THE INTERIM ORDINANCE WITH RESPECT

TO HIGHWAYS 52 and 125 WITH THE CONDITION THAT IN ONE YEAR, THE MATTER OF FUNDING FOR THESE HIGHWAYS BE BROUGHT BACK TO THE CITY COUNCIL FOR DISCUSSION AND REVIEW. IF IT IS DETERMINED THAT SUBSTANTIAL PROGRESS HAS NOT BEEN MADE ON THE FUNDING OF THESE HIGHWAYS, THE COUNCIL WOULD CONSIDER AT THAT TIME THE 5% DENSITY REDUCTION. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-nay.

ITEM-S500: (O-85-218) ADOPTED AS ORDINANCE O-16455 (New Series)

Second public hearing in the matter of:

Amending Ordinance O-16249 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1984-85 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-16249-1, as amended and adopted therein, by transferring the amount of sales tax appropriated in Fund 10227, Contribution to the Redevelopment Agency, in the sum of \$2,619,683 to Fund 30245, Capital Outlay Fund; further appropriating the sums of \$419,683 of Transient Occupancy Tax, Fund 10224 to CIP-39-054 (Horton Plaza Theatre) and \$2,200,000 of Transient Occupancy Tax, Fund 10224 to CIP-39-303 (San Diego Art Center).

CITY MANAGER REPORT: The FY 1985 Capital Improvement Program includes two projects financed through the repayment of prior loans made to the Centre City Development Corporation (Horton Plaza Theater and San Diego Art Center). The Auditor and Comptroller has advised the City Manager that CCDC has paid the Capital Outlay Fund \$2,619,683 more than was loaned from that fund for the Columbia Redevelopment Area. There is outstanding Capital Outlay Fund debt in other redevelopment areas, but each

redevelopment area is accounted for separately and the Columbia Area has now overpaid its Capital Outlay debt. CCDC loan repayments originated primarily from tax increments generated in each of three project areas. Such tax increments are restricted to repayment of debts for that area alone. Since CCDC has no Capital Outlay debt to repay in the Columbia area, the Auditor and Comptroller will transfer the overpayment to the Transient Occupancy Tax Fund where there is an outstanding debt. In order to fund the projects financed by this repayment, Horton Plaza Theatre and the San Diego Art Center, it is necessary to shift their funding to the TOT Fund.

See Item S410.

FILE: MEET

COUNCIL ACTION: (Tape location: B421-490.)

MOTION BY MARTINEZ TO ADOPT. Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksma-nay, Gotch-nay, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor Hedgecock at 12:45 a.m.

FILE: MINUTES

COUNCIL ACTION: (Tape location: J551-552).